

## **Exhibit A**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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FEDERAL TRADE COMMISSION,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Case No.: 1:23-cv-06188-ER
	:	
IQVIA HOLDINGS INC.,	:	
	:	
and	:	
	:	
PROPEL MEDIA, INC.	:	
	:	
Defendants.	:	
-----	X	

**DECLARATION OF SUSAN GARCIA**

I, Susan Garcia, make this declaration pursuant to 28 U.S.C. §1746 and states as follows:

1. I am General Counsel of WebMD Health Corp. (“WebMD”) and PulsePoint, Inc. (“PulsePoint”), which are subsidiaries of Internet Brands, (collectively the “Internet Brands Companies”).
2. On March 22, 2023, in response to a subpoena from Federal Trade Commission (“FTC”), Konrad Gerszke, Executive Vice President of Internet Brands, participated in an investigative hearing. The contents of Mr. Gerszke’s testimony contain highly sensitive and proprietary information.
3. On April 24, 2023, in response to a pre-Complaint Civil Investigative Demand issued by the FTC, PulsePoint produced highly confidential and competitively sensitive information concerning its commercial practices and financial performance.

4. PulsePoint information produced in response to the above-mentioned CID and provided during the investigative hearing has been designated as “Confidential Information” pursuant to the Federal Trade Commission Act and the Protective Order entered by this Court on July 28, 2023. Dkt. 55.
5. PulsePoint has strong privacy interests in the Confidential Information produced in response to the above-mentioned demands, and in similar information that may subsequently be sought in discovery by the Parties over the course of the litigation, and PulsePoint would suffer harm from disclosure of such information to IQVIA in-house counsel, including Maureen Nakly, Harvey Ashman, and John O’Tuel.
6. PulsePoint is an advertising technology platform and services company that services customers in, among others, the healthcare industry.
7. IQVIA competes directly with PulsePoint in the provision of healthcare marketing and analytics.
8. Propel Media is a another direct competitor to PulsePoint.
9. IQVIA also supplies data products to the customers of PulsePoint and its competitors that are critical inputs for the use of many of PulsePoint and its competitors’ core offerings.
10. PulsePoint’s Confidential Information includes highly sensitive and proprietary financial data, commercially sensitive information, and other information that is closely guarded by the Internet Brands Companies and never shared with third parties except, with respect to some, pursuant to a strict non-disclosure agreement or other confidentiality protections. PulsePoint’s Confidential Information contains financial and operational information, including but not limited to data related to its prices, price structure, sales,

product effectiveness, and profitability, that provide deep insight into PulsePoint's competitive decision-making and strategy.

11. The disclosure of PulsePoint's Confidential Information to in-house counsel at IQVIA could harm PulsePoint's ability to compete for customers, affect PulsePoint's strategy and competitive positioning (including because it could influence M&A activity by IQVIA), and could otherwise disadvantage PulsePoint in the marketplace.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 16, 2023

By:   
Susan Garcia